

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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In re Applicant: § Confirmation No.: 4718
§
§ Jon D. Cameron
§
§ Filed: December 6, 1997 § Art Unit: 2876
§
§ Serial No.: 08/986,287 § Examiner: St. Cyr, D.
§
§ For: THERMOCHROMIC BAR § Docket No.: JCMN-27,738US
CODE

PETITION UNDER 37 C.F.R. 1.182

Office of Petitions
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This application names Tobin Gaedke and Jon Cameron as co-inventors. A continuation application Serial No. 09/453,545 from this application has since issued as U.S. Patent No. 6,685,094 B2 which names Jon Cameron as a sole inventor. A lawsuit is pending where Tobin Gaedke is asserting his co-inventorship rights as respects U.S. Patent No. 6,685,094 B2; Robert Sek and Tobin Gaedke v. Jon Cameron and Pop! Technology LLC, Case No. 304-CV-753-B (United States District Court for the Northern District of Texas, Dallas Division).

This application is under an Office Action rejection mailed May 24, 2004. By letter dated November 19, 2004, from Mark W. Handley, attorney of record in this application, Tobin Gaedke was advised that this application would be abandoned effective November 24, 2004, for failure to respond to the May 24, 2004 Office Action (Exhibit A). By letter of November 23, 2004 by Edward Fernandes to Mark Handley, Handley was advised that Tobin Gaedke did not want this application to be abandoned and therefore Handley was asked to file a three-month

extension of time and a Request for Continued Examination on or before November 24, 2004 (Exhibit B). Handley has refused to do so saying he has instructions from Jon Cameron to not do so.

Accordingly, Tobin Gaedke asks that his power of attorney to Charles M. Cox, Registration No. 29,057, Akin Gump Strauss Hauer & Feld, 1111 Louisiana, 44th Floor, Houston, Texas 77002-5200, be accepted and the accompanying Petition and Fee for Extension of Time and Request for Continued Examination be entered in this application effective November 24, 2004 to maintain this application in a pending state.

Copies of the Petition for Extension of Time and Request for Continued Examination filed concurrently herewith are enclosed.

Respectfully submitted,



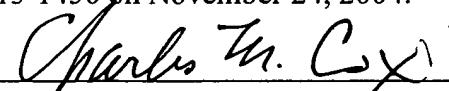
Charles M. Cox, Reg. No. 29,057

Date: November 24, 2004

AKIN GUMP STRAUSS HAUER & FELD, LLP
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service, Express Mail, airbill no. EV 479327419US addressed to Office of Petitions, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on November 24, 2004.



Charles M. Cox, Reg. No. 29,057